

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,)
)
)
PLAINTIFF,)
)
)
) Civil No. 09-cv-0849
v.)
)
)
ERIE COUNTY, NEW YORK,)
)
)
DEFENDANT.)
)

JOINT MOTION FOR ENTRY OF STIPULATED ORDER OF DISMISSAL

The United States and Erie County (“the Parties”) hereby move this Court for entry of the attached Stipulated Order of Dismissal (“Stipulated Order”) as an Order of the Court. Entry of this Stipulated Order as an order of the Court will resolve the remaining issues in this litigation concerning protection from harm, provision of medical and mental health treatment, and environmental health and safety.

The Parties also request that the Court enter an order finding that the Stipulated Order satisfies the requirements of 18 U.S.C. § 3626(a)(1)(A) and that the prospective relief in the Stipulated Order is narrowly drawn, extends no further than necessary to correct the violations of the federal rights, and is the least intrusive means necessary to correct the violations of the federal rights. The Parties further request that the Court retain jurisdiction over the Stipulated Order for the purpose of enforcing the terms therein. In support of this motion, the Parties stipulate and represent to the Court that the terms of the Stipulated Order satisfy the requirements of 18 USC § 3626(a).

The Parties ask the Court to approve this Stipulated Order and to enter the order without a full hearing on the merits and on the basis of the Parties’ agreements in the Stipulated Order.

Dated: August 17, 2011

Respectfully submitted,

FOR THE UNITED STATES:

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